



# Lake County

*JSEC Insider*

## Upcoming Events:

### September 24, 2008

"Leading with Spirit"  
Professional Team Building &  
Leadership Strategies

Steve McCoy, Motivational  
Trainer

Time: 8am-4pm

Location: KwaTaqNuk Resort

Cost: \$75 ea

Group rate \$65 ea (5 or more)

Space is limited, register early

### October 7, 2008

Assistance for Business Clinic

Time: 8am-4:30 pm

Location: Lake County Health  
Department, Polson.

Cost: \$40 ea or \$35 ea for 2  
or more.

Reserve your seats today  
by calling 406.883.7883 or  
406.883.7885.

## NEW I - 9

Access the updated I-9 form:

[www.employlakecounty.com](http://www.employlakecounty.com)  
or  
[www.uscis.gov/files/form/I-9.pdf](http://www.uscis.gov/files/form/I-9.pdf)

Thank you!

Special thanks to the local  
employers who contributed to  
the MT JSEC Scholarship  
silent auction items. 3 Dog  
Down, Debra Krantz  
Photography, KwaTaqNuk  
Resort, Kicking Horse Job  
Corps, Glacier Brewery & Jore  
Corporation. Total \$331.00

## Minimum Wage Increases to \$6.55/hr July 24, 2008

The minimum wage is subject to a cost-of-living adjustment based on the Consumer Price Index no later than September 30th of each year. Montana's minimum wage is to be the greater of the federal or current state minimum wage. Effective July 24, 2008, Montana's minimum wage will increase to \$6.55 per hour, based on the federal minimum wage increase.

Based on 40 hours per week, it translates as follows:

Hourly	Weekly	Monthly	Annual
6.55	262.00	1,135.32	13,623.84

The Internal Revenue Service has announced an increase in the optional standard mileage rates for the final six months of 2008.

The rate will increase to 58.5 cents a mile for all business miles driven from July 1, 2008, through Dec. 31, 2008. This is an increase of eight (8) cents from the 50.5 cent rate in effect for the first six months of 2008.

## Montana Economy at a Glance May 2008

Employment by Industry: Montana's seasonally-adjusted non-agricultural payroll employment increased by 500 jobs from April to May 2008. Leisure & Hospitality and Construction showed the largest gains with 300 additional jobs each. Meanwhile, total Government experienced the largest decrease, with a loss of 300 jobs over the month.

Seasonally Adjusted Unemployment Rate: MT 4.2% US 5.5%  
Lake County (Not Seasonally Adjusted) 5.2%

[www.ourfactsyourfuture.org](http://www.ourfactsyourfuture.org)

## New Resources thanks to the SHRM foundation:

"Ethics The Fabric of Business: A Case Study of Lockheed Martin"  
20/10 Minute Version

"Fueling the Talent Engine Finding and Keeping High Performers: A  
Case Study of Yahoo" 19 minutes

"Trust Travels: The Starbucks Story" 20/10 Minute Version

"HR In Alignment: The Link to Business Results" 31 Minutes

"HR Role Models: What it Means to be a Strategic Leader in the 21st  
Century" Four Scenarios est. 1:30. Please call 883.7885 to check out  
the new resources.



Mission Valley One Stop Workforce Center  
Lake County Job Service  
PO Box 970  
417 B Main Street  
Polson, MT 59860



## Proposed ADA Legislative Changes:



### Background

Enacted in 1990, the ADA prohibits discrimination in employment, public services and facilities. With regard to employment, the ADA requires employers with 15 or more employees to provide reasonable accommodations to qualified employees with disabilities. Under current law, the ADA defines “disability” as “a physical or mental impairment that substantially limits one or more of the major life activities of such individual.”

A few Supreme Court holdings (including Sutton v. United Airlines [1999], Toyota Motor Manufacturing Kentucky Inc. v. Williams [2002]) have narrowed the definition of disability under the ADA so that some conditions have been ruled outside of the ADA’s coverage. Congress has been considering legislation to respond to these decisions.

### Legislation

The ADA Amendments Act (H.R. 3195) is designed to overturn the Supreme Court decisions mentioned above while balancing protections for individuals with disabilities and the obligations of employers. Key provisions of the ADA Amendments Act include:

Ø Clarifies Definition of Disability - The bill clarifies the current requirement that an impairment must substantially limit a major life activity in order to be considered a disability. However, “substantially limits” will be redefined as “materially restricts.”

Ø Excludes Consideration of Mitigating Measures - The bill prohibits consideration of mitigating measures in determining whether an individual has a disability - with the exception of ordinary eyeglasses and contact lenses.

Ø Expands the Definition of Regarded As - The bill provides that an individual is “regarded as” having a disability if the employee establishes that he/she has been discriminated against because of an actual or perceived physical or mental impairment. However, the “regarded as” prong would not apply to transitory and minor impairments where the impairment is expected to last less than six months. The legislation also makes clear that employers will not be required to provide a reasonable accommodation to individuals that are regarded as disabled.

Ø Retains Burden of Proof for Qualification Purposes - The bill retains the current law standard that the burden of proof for showing that an individual is a qualified employee with a disability will remain with the employee.